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10/661,717	09/12/2003	Steven S. Homer	200312716-1	8243

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EXAMINER

EDWARDS, ANTHONY Q

ART UNIT	PAPER NUMBER
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2835

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/661,717
Filing Date: September 12, 2003
Appellant(s): HOMER ET AL.

MAILED
DEC 07 2006
GROUP 2800

Phillip S. Lyren
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed August 3, 2006 appealing from the Office action mailed April 5, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows:

This appeal involves claims 13-20 and 24-27.

Claims 1-4, 6-8, 10-20, 22 and 23 are allowed.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

WITHDRAWN REJECTIONS

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct with respect claims 13-20 and 24-27. The following grounds of rejection are not presented for

Art Unit: 2835

review on appeal, however, because they have been withdrawn by the examiner. As indicated above, claims 1-4, 6-8, 10-12, 22 and 23 are allowed. The following is an examiner's statement of reasons for allowance: upon further consideration, the Examiner agrees with Appellant's argument that Landry does not disclose the curved portion of the mounting arm abuts the display, when the display is in a horizontal position.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US2003/0021083

Landry et al.

1-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102/103

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2835

Claims 13-20 and 24-27 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent Application Publication No. US2003/0021083 (now U.S. Patent No. 6,873,521) to Landry et al. ("Landry" hereinafter). Referring to claim 13, Landry discloses a method comprising providing a computer base (86) housing electronic components (see paragraph 0019), providing a computer display (88) inherently housing electronic components, mechanically attaching the base to the display with a curved mounting arm (204), and adjusting the display to a plurality of vertical positions (see Figs. 6 and 7). Although Landry does not specifically "show" the display abutting a straight portion of the curved mounting arm, it is apparent from looking at Fig. 6 that a clock-wise rotation of the arm (204) and the display (88) would allow for an underside of the straight portion of the curved arm to abut the display in a vertical position.

A draftsman's sketch of Figs. 6 and 7, depicting the Examiner's description of the end result of said rotation, is provided on the next page of the present Office Action. Although these particular drawing figures are not provided in the Landry reference, it can be clearly surmised from the draftman's depiction that the claimed limitation can be performed by the prior art structure of Landry.

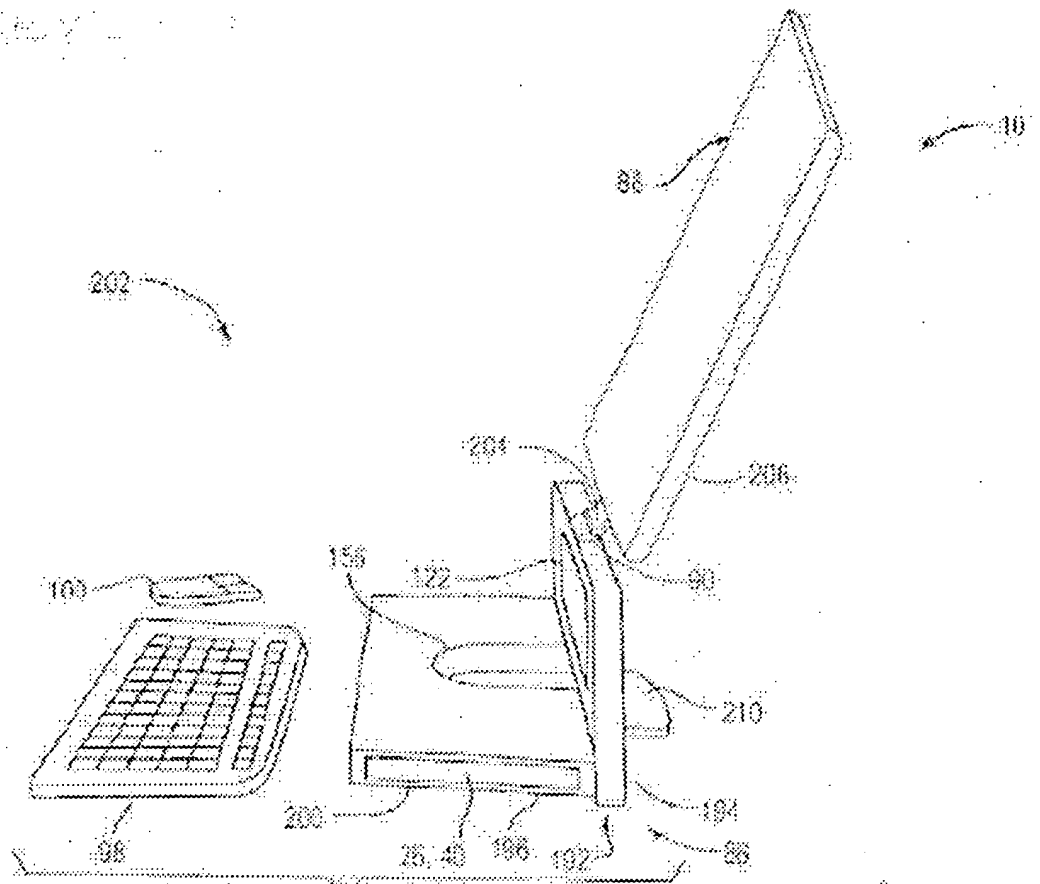


FIG. 6

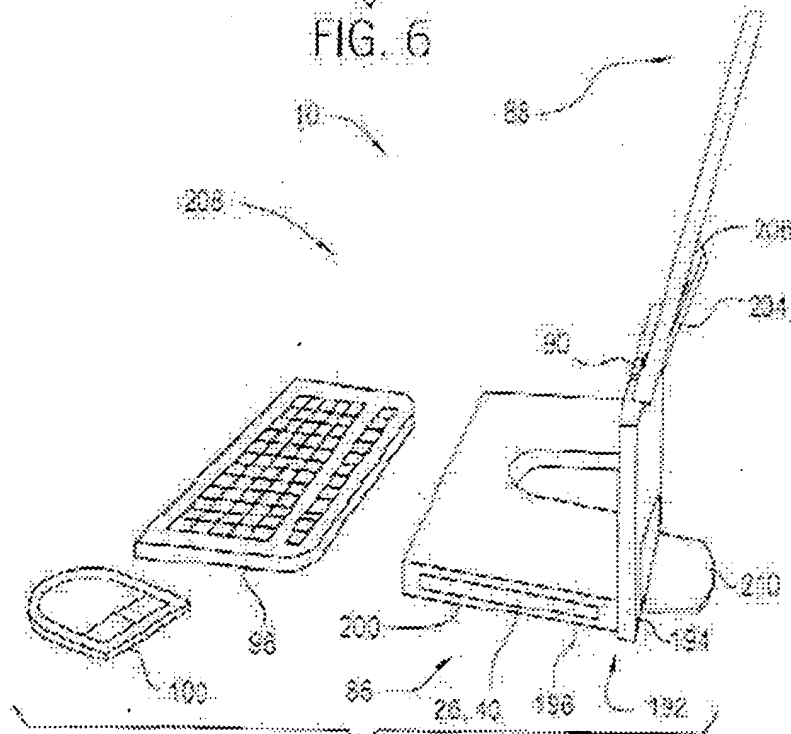


FIG. 7

Furthermore, as shown in the modified version of Figs. 6 and 7, clock-wise rotation of the arm and the display would maintain a center of gravity of the display between a first pivot point at the base (i.e., about hinge 90) and a second pivot point at the display (i.e., at hinge 206).

Referring to claim 14, Landry discloses a method, further comprising forming an angle θ with a front surface of the display relative to a normal axis with the base, the angle θ being between 10 degrees and 40 degrees. See Fig. 7.

Referring to claims 15-17, Landry discloses a method, further comprising adjusting the display (88) to a horizontal position so the display rests on a support surface (not numbered), and forming triangular contact locations with the display and support surface, and further comprising forming a first contact location in a first corner of the display (i.e., a first lower, rear edge), forming a second contact location in a second corner of the display (i.e., the opposite lower, rear edge), and forming a third contact location on the mounting arm (204), as well as comprising forming a first contact location in a first corner of the display, forming a second contact location in a second corner of the display, and forming a third contact location on the base (86).

Although not specifically "shown," paragraphs 0034 and 0035 teach telescopic movement of the arm (204), which would allow for placement of the display contact points as claimed.

Referring to claim 18, Landry discloses a computing system, comprising a docking station comprising a base (86) supportable on a surface (not numbered, see Figs. 6-9) and housing electronic components (e), a carrier (216), and means for connecting (204) the base (86) to the carrier (216), a display (88) inherently housing electronic components and mechanically

Art Unit: 2835

connected to the carrier (216) and electrically coupled to the base (86) through the means for connecting (204), wherein the display is supportable off the support surface and above the base (see Figs. 6 and 7) such that a center of gravity of the display is between two different and parallel axes that pass through two different rotational locations and that are normal to a support surface supporting the base. Furthermore, as indicated in the rejection to claim 13 above, a clock-wise rotation of the arm and the display (as depicted in the modified version of Figs. 6 and 7) would allow for an underside of the straight portion of the arm to abut the display in a vertical position, such that an underside of the straight portion of “the means for connecting” would abut and support the display in a vertical position.

Referring to claim 19, Landry discloses a computing system, wherein the means for connecting (204) provides a curved mechanical connection between the base and the carrier. See Figs. 6 and 7, wherein the mounting arm has a curved portion (i.e., at the first end 90).

Referring to claim 20, Landry discloses a computing system, wherein the means for connecting (204) also provides a straight mechanical connection for supporting the display. See Figs. 6 and 7, wherein the mounting arm has a straight portion (i.e., extending from the second end 206).

Referring to claim 24, Landry discloses a computing system, further comprising adjusting the display to a horizontal position such that the display is supported on the support surface and the computer base but not the curved mounting arm. Note: this can also be accomplished by rotating the support (194) of the base (86) forward and the extending the arm (204), but not as far beyond the base. See Fig. 7 and paragraphs 0035 and 0035.

Referring to claim 25, Landry discloses a computing system, wherein the display is positioned off a support surface when the display is adjusted to the vertical position such that the center of gravity of the display is between the first pivot point at the base and the second pivot point at the display. Rotation of the display to the right in Fig. 6 would provide this adjustment as claimed.

Referring to claim 26, Landry discloses a computing system, wherein a first rotational location (90) is at one end of the means for connecting (204) and a second rotational location (206) is at an opposite end of the means for connecting. See Figs. 6 and 7.

Referring to claim 27, Landry discloses a computing system, wherein the means for connecting (204) has a curved portion (i.e., the end of the top side) able to abut the display in a horizontal position. See the rejection to claim 1 above.

(10) Response to Argument

Claims 13 and 18

With respect to Appellant's arguments on pages 16-18 of the Appeal Brief, as indicated above, although Landry does not show the straight portion of the arm abutting and supporting the display in a vertical position above a support surface, clockwise rotation of the arm and the display (i.e., moving both the arm and display to the right in Figs. 6 and 7), would allow for an underside of the straight portion of the arm to abut and support the display in the vertical position, since Landry only shows one of many "vertical" positions for the display. Likewise, although Examiner acknowledges that the "three-hinge structure" of Landry supports the display, it is also understood that the aforementioned obvious modification would also provide a

Art Unit: 2835

secondary support structure for the display against the underside of the straight portion of the arm.

Claim 15

With respect to Appellant's arguments on pages 17 and 18 of the Appeal Brief, as indicated above, the Examiner contends that the claimed "triangular contact locations" between the display and support surface is taught by Landry and would essentially be the same as applicant's drawings (see Figs. 10-13).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,

Anthony Q. Edwards


LYNN FEILD
SUPERVISORY PATENT EXAMINER

Conferees:

Lynn Feild


Darren E. Schuberg 